



1AP7 Rec'd PCT/PTO 01 JUN 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stefan GOLZ et al.

Int'l Application No.: PCT/EP2004/009202

Serial No. 10/568,763

: Art Unit: To Be Assigned

Filed: February 21, 2006

: Examiner: To Be Assigned

For: *DIAGNOSTICS AND
THERAPEUTICS FOR DISEASES
ASSOCIATED WITH KALLIKREIN
9 (KLK9)*

: Atty Docket: 0004974.01102

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
§ 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants submit the following documents to complete the requirements for acceptance under 35 U.S.C. § 371:

1. Fee Transmittal Sheet Form PTO-1390 (Modified) in Duplicate;
2. Copy of the Notification of Missing Requirements mailed April 5, 2006 and

Serial No. 10/568,763

Response to Missing Requirements
Under 35 U.S.C. 371 In The United States
Designated/Elected Office (DO/EO/US)

3. Executed Declaration for Patent Application
4. Executed Assignment with Recordation cover sheet.

Please charge our Deposit Account No. 19-0733 in the amount of \$170.00, as follows:

\$ 130.00 Late declaration surcharge

\$ 40.00 Recordation of Assignment.

We believe no additional fees are required. If this is incorrect, please charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: Lisa M. Hemmendinger
Lisa M. Hemmendinger
Registration No. 42,653

Date: June 1, 2006

Banner & Witcoff, Ltd.
Customer Number: 22907

LMH/mhn



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,763	Stefan Golz	004974.01102

22907
 BANNER & WITCOFF
 1001 G STREET N W
 SUITE 1100
 WASHINGTON, DC 20001

RECEIVED

APR 10 2006

BANNER & WITCOFF, LTD.

INTERNATIONAL APPLICATION NO.

PCT/EP04/09202

I.A. FILING DATE

08/17/2004

PRIORITY DATE

08/30/2003

CONFIRMATION NO. 4833
 371 FORMALITIES LETTER



OC000000018448439

Date Mailed: 04/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/21/2006
- Copy of the International Search Report filed on 02/21/2006
- Copy of IPE Report filed on 02/21/2006
- Preliminary Amendments filed on 02/21/2006
- Information Disclosure Statements filed on 02/21/2006
- Biochemical Sequence Diskette filed on 02/21/2006
- Biochemical Sequence Listing filed on 02/21/2006
- Request for Immediate Examination filed on 02/21/2006
- U.S. Basic National Fees filed on 02/21/2006
- Specification filed on 02/21/2006
- Claims filed on 02/21/2006
- Abstracts filed on 02/21/2006
- Drawings filed on 02/21/2006
- Paper nucleotide sequence listings filed on 02/21/2006

Docketed 4/10/06
 Attny DH41LMHINTC
 Case Ref 004974.01102
 Action Rep. Notif. Missing requirement
 Due Date 4/5/06
 Last Day 11/5/06
 By AR

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,763	PCT/EP04/09202	004974.01102

FORM PCT/DO/EO/905 (371 Formalities Notice)

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER 004974.01102
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/568,763
INTERNATIONAL APPLICATION NO. PCT/EP2004/009202	INTERNATIONAL FILING DATE 17 August 2004	PRIORITY DATE CLAIMED 30 August 2003
TITLE OF INVENTION DIAGNOSTICS AND THERAPEUTICS FOR DISEASES ASSOCIATED WITH KALLIKREIN 9 (KLK9)		
APPLICANT(S) FOR DO/EO/US Stefan GOLZ et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Express Mail Label No. 		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td>\$</td> <td></td> <td colspan="2"></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td colspan="2">Number of each additional 50 or fraction thereof (round up to a whole)</td> <td colspan="2">RATE</td> </tr> <tr> <td>- 100 =</td> <td>0 /50 =</td> <td colspan="2">0</td> <td>x \$250.00</td> <td>\$ \$0.00</td> </tr> <tr> <td colspan="6">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td colspan="3">RATE</td> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td>0</td> <td>x \$50.00</td> <td>\$ \$0.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td>0</td> <td>x \$200.00</td> <td>\$ \$0.00</td> <td></td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/></td> <td>+ \$360.00</td> <td>\$ \$0.00</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ \$130.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> <td>\$</td> <td>\$0.00</td> <td colspan="2"></td> </tr> <tr> <td colspan="2"></td> <td colspan="3">SUBTOTAL =</td> <td>\$ \$130.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>\$</td> <td>\$0.00</td> <td colspan="2"></td> </tr> <tr> <td colspan="2"></td> <td colspan="3">TOTAL NATIONAL FEE =</td> <td>\$ \$130.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</td> <td>\$</td> <td>\$40.00</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">06/06/2006 LLANDGRA 00000052 190733 10568763</td> <td colspan="3">TOTAL FEES ENCLOSED =</td> <td>\$ \$170.00</td> </tr> <tr> <td colspan="2">01 FC:1617 130.00 DA</td> <td>Amount to be</td> <td>\$</td> <td colspan="2"></td> </tr> <tr> <td colspan="2"></td> <td>Amount to be</td> <td>\$</td> <td colspan="2"></td> </tr> </table>						The following fees have been submitted:		CALCULATIONS		PTO USE		24. <input type="checkbox"/> Basic national fee		\$	\$0.00			25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article		\$	\$0.00			All other situations.....		\$	\$200			26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . .		\$	\$0			Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.		\$	\$100			International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.		\$	\$400			All other situations.....		\$	\$500			TOTAL OF 24, 25 and 26 =		\$	\$0.00			<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). 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- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 19-0733 in the amount of \$ \$170.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Lisa M. Hemmendinger

SIGNATURE

Lisa M. Hemmendinger

NAME

42,653

REGISTRATION NUMBER

June 1, 2006

DATE

BANNER & WITCOFF, LTD.

Customer Number: 22907